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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,382	08/29/2000	SLIM SOUISSI	PF01963NA	9462

20280 7590 03/26/2002

MOTOROLA INC  
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EXAMINER

LEE, JOHN J

ART UNIT PAPER NUMBER

2682

DATE MAILED: 03/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action B M4/2002

**Advisory Action**

Application No.

09/651,382

Applicant(s)

SOUISSI ET AL.

Examiner

John J Lee

Art Unit

2682

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 March 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

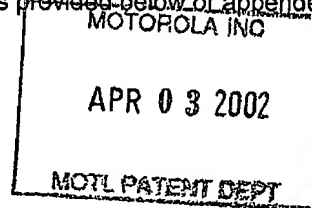
NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.Claim(s) objected to: none.Claim(s) rejected: 34-55.Claim(s) withdrawn from consideration: none.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).
10. ☒ Other: Response to Arguments



*[Signature]*  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNICAL CENTER 2600

Continuation of 5. does NOT place the application in condition for allowance because: The Applicant's arguments/amendment received on March 06, 2002 have been carefully considered but they are not persuasive because the combined teaching of all the cited references as set forth in the previous final rejection reads on all the claims (see attachment).

## DETAILED ACTION

### *Response to Arguments*

1. The Applicant's arguments received on March 06, 2002 have been carefully considered but they are not persuasive because the combined teaching of all the cited references as set forth in the previous final rejection reads on all the claims.

The Examiner respectfully disagrees with Applicant's assertion that the combination of Fernandez-Corbaton and Schuchman do not teach the claimed invention "determining a coarse location of the mobile wireless communications handset based on the base station location information and on the cellular area information". Contrary to Applicant's assertion, Re claim 1, Fernandez-Corbaton teaches mobile station coordinate (x, y, z) (see Fig. 1), defining from mobile station to base station distance by radius (r) (in Fig. 5), and cellular area information is represented by the distance (radius R) to serving base station relative to expected cell size information (see Fig. 5 and column 7, lines 7 - column 8, lines 51) for regarding the coarse location. Furthermore, Schuchman teaches base stations coordinates (x, y, z) can be explained the base station location information (see Fig. 1). For example, comparing radius (R) with (r) indicate the coarse location wherein if the (r) is greater than (R), the mobile station is not within the serving area or location. More specifically, the coarse location is interpreted as the determining of whether the mobile station is within the serving area of the base station.

**Conclusion**

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from  
the examiner should be directed to **John J. Lee** whose telephone number is  
(703) 306-5936. He can normally be reached Monday-Thursday and alternate  
Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are  
unsuccessful, the examiner's supervisor, **Vivian Chin**, can be reached on (703)  
**308-6739**. Any inquiry of a general nature or relating to the status of this  
application should be directed to the Group receptionist whose telephone number  
is (703) 305-3900.

J.L  
March 12, 2002

John J Lee

  
VIVIAN CHIN  
SUPERVISORY PATENT EXAMINER  
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